1947.

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File No. Cattle Trespass II/47

Legal **DEPARTMENT**

B **BRANCH**

Subject:— Cattle Trespass

P.6E

Rules and Notifications

under the Cattle Trespass

Act 1871.

File No. Cattle Trespass. II

Std. Sectt. Slip 24 B.e.

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509-B

C O N T E N T S.

Legal Department File No. Cattle Trespass II/47.

Sr. No.	Compilation No.	Subject.	Pages.
		Rules & Notification under the cattel Trespass Act. 1871.	
1.	O. No. 13303 23-12-47	The mode of payment of fines or surplus proceeds realised by cattle Pounds in the Government Treasury.	1-5
2.	O. No. 6973 8-7-47.	See 12. Notification under.	7-9

EVY. 9/8.

Revised clause.

Fines and surplus proceeds realized under the Act by local bodies empowered to manage cattle pound there under should be paid by them in the Government Treasury once in a month. For the management of such cattel pounds the local bodies should be given grant-in-aid every year equal to the total amounts of fines and surplus proceeds realised by local bodies and credited in the Government Treasury during the year.

EVY. 9/5.

Office of the R.L.A.

It appears from paragraph 1 in Chapter III of the Cattle Trespass Manual, Part II, 3rd edition, that there are pounds in respect of which the District Magistrate's functions under sections 12 and 17 either have or have not been transferred to the local authority or body. The draft clause has been revised upon that assumption. The R.D. should, however, verify whether there are any pounds at present in respect of which the functions under sections 12 and 17 have been transferred to the local authority. If there be no such pounds, the draft and the present concluding sentence in the paragraph may have to be revised.

Sd/-
P.M.L. 22/12
Remembrancer of Legal Affairs.

R. U.R. to R.D. No. 13303, dated the 23rd December 1947.

EVY. 9/5.

Revised draft clause.

In the case of a pound, which is under the management of the local body but in respect of which the functions of the District Magistrate under section 12 and 17 have not been transferred to the local body, the fines and surplus proceeds realized under the Act should be paid by the local body in the Government treasury once in a month. For the management of such cattle pounds the local body should be given grant-in-aid every year equal to the total amount of fines and surplus proceeds realized by the local body and credited in the Government treasury during the year.

EVY. 9/5.

Office of the R.L.A.

A revised draft notification is sent herewith.

It appears from page 28 of the Cattle-trespass manual that only the functions of the Magistrate under section 12 of the Cattle-trespass Act, 1871 were transferred to the Surat Borough Municipality. The powers of the Provincial Government to prescribe scales of fines under that section, it appears, have been all along retained with the Provincial Government. In virtue of the powers conferred by that section, the Provincial Government prescribed by Notification No. 2192-B dated the 29th March, 1924 a scale of fines for certain heads of cattle impounded under the Act. If that notification is still in force, it will be necessary to supersede it in so far as it applies to the limits of the Surat Borough Municipality. The revised draft notification provides accordingly. Before issuing the proposed notification, the Revenue Department should verify if the position stated above is correct.

In the Government notification No. 2192-B dated the 29th March 1924, "gelding" is mentioned as one of the heads of cattle. It is presumed that this head of cattle is deliberately omitted in the Revenue Department draft notification, which has been sent to the R.L.A. for scrutiny.

Sd/- D.V.Vyas.
Remembrancer of Legal Affairs.

U.R. to R.D. No. 6973, dated the 8th July 1947.

EVY. 9/5.

NOTIFICATION.

Revenue Department,
Bombay Castle, July 1947.

Cattle-trespass Act, 1871.

No. 10071/24:- In exercise of the powers conferred by section 12 of the Cattle-trespass Act, 1871 (I of 1871), and in supersession of Government Notification in the Revenue Department, No. 2192-B, dated the 29th March 1924, in so far as it applies to the local area within the limits of the Surat Borough Municipality the Government of Bombay is pleased to prescribe for the said local area within the limits of the Surat Borough Municipality, with effect from 1947, the following scale of fines to be levied for every head of cattle specified below impounded under the said Act, namely:-

Cattle.	Fine per head. Rs. As. Ps.
Elephant	8 - 0 - 0
Camel or buffalo	2 - 0 - 0
Horse, mare, pony, colt, filly, mule, bull, bullock, cow or heifer	1 - 0 - 0
Calf, ass or pig.	0 - 8 - 0
Ram, ewe, sheep, lamb, goat or kid.	0 - 4 - 0

By order of the Governor of Bombay,

Secretary to Government.

EVY. 9/5.